



Senate Fiscal Agency
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House Bills 4151, 4152, and 4153 (as reported without amendment)
House Bill 4154 (Substitute S-1 as reported)
House Bill 4155 (Substitute S-2 as reported by the Committee of the Whole)
House Bill 4156 (Substitute S-1 as reported)
Sponsor: Representative Peter Pettalia (H.B. 4151)
Representative Jason M. Sheppard (H.B. 4152)
Representative Ray A. Franz (H.B. 4153)
Representative Brett Roberts (H.B. 4154)
Representative Triston Cole (H.B. 4155)
Representative Tom Barrett (H.B. 4156)

House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

House Bill 4151 would repeal Public Act 186 of 1959, which prohibits a person under 18 from using or possessing a handgun designed for propelling BBs unless accompanied by an adult.

House Bill 4152 would amend Chapter 1 of the Revised Statutes of 1846, which defines certain terms used in the Michigan Compiled Laws, to revise the definition of "firearm".

House Bill 4153 would amend Public Act 10 of 1952, which establishes the duties of a person who discharges a firearm and thereby injures or fatally wounds another person, to revise the definition of "firearm".

House Bill 4154 (S-1) would amend Parts 401 (Wildlife Conservation) and 435 (Hunting and Fishing Licensing) of the Natural Resources and Environmental Protection Act to revise the definition of "firearm", and include a pneumatic gun (other than a paintball gun) as a firearm under the Act.

The bill also would delete a prohibition against discharging a firearm within 150 yards of certain structures.

House Bill 4155 (S-2) would amend the Michigan Penal Code to do the following:

- Revise the definition of "firearm".
- Include the possession, use, or transport of a pneumatic gun in various weapons-related criminal violations.
- Add a definition of "brandishing".

House Bill 4156 (S-1) would amend the handgun licensure law to revise the definition of "firearm".

House Bills 4152 through 4156 (S-1) would define "firearm" as a weapon that will, is designed to, or may be readily converted to expel a projectile by action of an explosive.

The bills would take effect on July 1, 2015. Each of the bills is tie-barred to all of the others and to Senate Bill 85.

(Senate Bill 85 would amend Public Act 319 of 1990, which prohibits local units of government from taxing or regulating the ownership, registration, purchase, sale, transfer, transportation or possession of pistols or other firearms, to extend that Act to pneumatic guns but allow local units to impose certain regulations and prohibitions related to those guns.)

MCL 752.891 & 752.892 (H.B. 4151)
8.3t (H.B. 4152)
752.841 (H.B. 4153)
324.40102 et al. (H.B. 4154)
750.222 et al. (H.B. 4155)
28.421 (H.B. 4156)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

House Bill 4151 would have no fiscal impact on State government. For calendar years 2009 through 2013, there were no court dispositions associated with the misdemeanor offense under Public Act 186 of 1959. With the most recent data showing no offenses, costs to local courts and law enforcement could be unchanged.

House Bill 4152 would modify a statutory definition of "firearm" to exclude weapons that fire a projectile by gas or air. Relative to current law, there could be a decrease in the number of firearm offenses related to such weapons.

House Bill 4153 would have an indeterminate fiscal impact on both State and local government. For calendar years 2009 through 2013, there were on average 15 to 20 court dispositions associated with the misdemeanor offense under Public Act 10 of 1952. The data do not show the type of firearm used in the offense. Therefore, to the extent any of the misdemeanors associated with the current definition of "firearm" would no longer be offenses, there could be a reduction in costs to local courts and law enforcement as well as to fine revenue dedicated to public libraries.

House Bill 4154 (S-1) would have no fiscal impact on State or local government.

House Bill 4155 (S-2) could result in a fiscal cost to the State's corrections budget. For any new felony convictions that resulted in imprisonment, in the short term, the marginal cost to State government would be approximately \$4,100 per additional prisoner per year. Over the long term, the marginal cost to State government would be approximately \$31,100 per additional prisoner per year. With any increase in the number of felony or misdemeanor cases, costs to local courts and law enforcement could increase. Additional misdemeanor convictions also could increase local incarceration costs. Additionally, any increase in collected fine revenue would be dedicated to public libraries.

House Bill 4156 (S-1) would have no fiscal impact on State or local government.

Date Completed: 4-28-15

Fiscal Analyst: Bruce Baker
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Floor/hb4151

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.